

SENATE PUTS DEFINITE STAMP OF DISAPPROVAL ON TREATY

brought before the Senate as soon as it convened. Speeches consumed all of the time though until nearly 6 o'clock, when the first vote on this ratification resolution was taken and it was beaten, 55 to 39.

Senator Reed (Mo.) then moved reconsideration of this vote. This motion was carried, 62 to 30.

Senator Hitchcock (Neb.), the Administration leader, apparently with no programme ready, moved to adjourn, and his motion was beaten, 42 to 51. Then Senator Hitchcock offered a new resolution of ratification as a substitute for the Lodge resolution and Senator Lodge made a point of order against it. The Vice-President ruled it in order and promptly Mr. Lodge appealed. His appeal was sustained, 51 to 42. Senator Hitchcock made another attempt to offer his resolution, which embodied the so-called "mild reservations" instead of the Lodge programme.

Beaten at Every Move.

Senator Poincaré (Wash.) made the point of order this time. The same performance was gone through, the presiding officer being overruled, 50 to 43. On the same question a little later Mr. Marshall's ruling again was overruled on the appeal, and he said that he was satisfied with that.

The Democrats were trying frantically every means of keeping the treaty before the Senate that a compromise might be effected sooner or later. At every move they were beaten.

Senator McCumber (N. D.), the lone Republican who voted consistently with the Administration forces throughout the long drawn out fight, was allowed to offer an amendment to the preamble to the reservations to strike out the proviso that three of the four principal allies must accept the treaty and the league binding on the United States. Senator Lodge appealed from the ruling of the Chair that the amendment was in order, and Mr. Lodge again was sustained, 59 to 43.

Several Hours of Speaking.

The next few hours were taken up with speeches by Senators Robinson (Ark.), Pittman (Nev.), Harding (Ohio) and Underwood (Ala.). Finally the Senate got around to the second vote on the Lodge resolution of ratification, which embodied the fifteen reservations. As was expected it was beaten, 41 to 51.

On this vote, though, three Democrats went over to the forces favoring ratification with the reservations. They were Senators Meyers (Mont.), Owen (Okla.) and Pomerene (Ohio).

Senator Underwood then offered a resolution to ratify the treaty unconditionally. Senator Lodge said that it was not in order, but that he would not make a point of order against it. The roll was called and the resolution was beaten, 38 to 53. Senator Pittman (Nev.) then sought to offer another resolution of ratification, but this time Senator Lodge made a point of order against it. The Vice-President this time said he was convinced that the Senate considered the Pittman motion out of order, and so ruled.

Just before the second vote on the Lodge resolution Senator Smith (Ga.), who, though a Democrat, voted for it, made a plea for adjournment overnight to try to effect a compromise. He moved adjournment and was beaten, 48 to 42.

End of the Closure Rule.

Senator Lodge then made the move that lifted the closure rule and ended the Senate's consideration of the treaty. He moved that the Senate proceed to the consideration of legislative business. Senator Underwood made the point of order that this could not be done, but was overruled, and the badly beaten Democrats allowed a live vote vote to determine the Senatorial abandonment of the treaty.

"The Senate has taken final action on the treaty," Senator Lodge declared.



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"Of course the President may send the treaty back here, but so far as consideration of it now is concerned it is finished. I now move that the Senate proceed to legislative business."

After this was carried Senator Lodge immediately introduced his concurrent resolution to declare the war with Germany at an end. Then the Senate turned to the railroad bill where it was dropped several days ago, finally voting, 48 to 42, to adjourn sine die at 11:08 o'clock.

Asserts Treaty is Not Dead.

Senator Hitchcock later insisted that the treaty was not dead and gave it as his opinion that President Wilson would submit it on December 1, when Congress again convenes, although he has no definite assurance on this point from the President. Mr. Hitchcock also advanced the opinion that the Republicans had worked themselves "into a very awkward position" and had split themselves in the Senate and in the country.

One effect of the failure of the Senate to ratify the treaty will be the continuation of the various wartime laws and regulations at least until the new session begins. Among these laws is the wartime prohibition act.

A fight is promised when Congress meets again on the concurrent resolution of Senator Lodge declaring war with Germany at an end. The Administration, according to reports, is opposed to this means of ending the war. There also is a constitutional question as to whether Congress can do so without requiring the signature of the President to the act.

Among the many compromise moves in the Senate was a motion offered by Senator Pomerene (Ohio) providing that a committee of six, including Senators Lodge and Hitchcock, be appointed by the Vice-President to act as a conciliation committee and draft a compromise set of reservations. This was voted down, 48 to 42, at the Republican's request.

When the session opened today with the Lodge resolution of ratification and the fifteen reservations before the Senate the privilege was extended to Senator Hitchcock to offer a resolution first for ratification without reservations. Mr. Hitchcock replied that it was not the right time for that, and hoped that the Republican leader would allow it instead to be offered after the vote had been taken on the Lodge resolution, when pledges would have been released and there would be a real chance for reaching a compromise.

"The votes have not been bound by pledges," they have been free and controlled and will not be changed," replied Senator Lodge. "If the Senator will not accept the unanimous consent I have offered I withdraw it."

Senator Smith (Ga.) announced that he

would vote for the resolution of ratification as offered by Senator Lodge. Some of the reservations he did not like, but the treaty would be better ratified with than without them. Declining to disagree with his own party, he must do what he considered his duty, said he.

Senator Knox (Pa.) said he would vote against the Lodge resolution.

Why He Opposes Treaty.

"I have voted in the Committee on Foreign Relations and also in the Senate for the reservations that are attached to this resolution of ratification," he explained, "but I intend to vote against the resolution of ratification."

"I voted for the reservations because I wanted to make the treaty as little harmful and as little obnoxious to our Constitution as it was possible, keeping in view the temper of the committee and the temper of the Senate. But while these reservations have been helpful in that direction, in my deliberate judgment, formed after the most careful and painstaking study of this instrument, study undertaken with no original attitude of unkindness toward it, as it stands with these reservations it is in my judgment that it imposes obligation upon the United States which under our Constitution cannot be imposed by the treaty making power."

At this point Senator Lodge offered the text of the letter from President Wilson to Senator Hitchcock advising Democrats to vote against the Lodge resolution. "As the Senator from Nebraska has not offered it I will," said Mr. Lodge, drily. "Comment seems superfluous."

Appeal of the President.

The letter of the President reads:

My Dear Senator—You were good enough to bring me word that the Democratic Senators supporting the treaty expected to hold a conference between the final vote on the Lodge resolution of ratification, and that they would be glad to receive a word of counsel from me.

I hesitated to offer it in any detail, but I assume that the Senators only desire my judgment upon the all important question of the final vote on the resolution containing the many reservations of Senator Lodge. On that I cannot hesitate, for in my opinion the resolution in that form does not provide for ratification but rather for the nullification of the treaty. I sincerely hope that the friends and supporters of the treaty will vote against the Lodge resolution of ratification.

I understand that the door will then be open for a genuine resolution of ratification. I trust that all true friends of the treaty will refuse to support the Lodge resolution.

Cordially and sincerely yours,

WOODROW WILSON.

Senator Thomas (Col.) announced he would vote against the ratification resolution for reasons he had often given and did not need to repeat.

Robinson Explains His Stand.

Senator Robinson (Ark.) said for very different reasons he would vote with Senator Knox. After months of consideration it seemed likely the treaty would fail. The Senate was in his opinion about to vote on an alleged nullification resolution, but really it was a rejection of the treaty. He regretted that some Senators who had favored the ratification and desired to improve the treaty were now lending themselves to the enemies of the treaty, and so long as that is true Article XI is superfluous.

If under Article XI "every war or threat of war" is of concern to the League and if in all such matters it has power to act then what significance is there in Article X? There is absolutely nothing under Article X that is not completely covered by Article XI.

"What more do we need to require to bind the United States if it is a nation of honor? We have said that we would not send our troops to fight abroad without the consent of Congress. But remember that our representatives in council and assembly will have power to deal with questions involving peace and war; to decide these transcendent issues, and after they have decided for us what can the Congress do? If we will not dare to exercise the power that still nominally remains to us, the technical right to determine whether our forces will participate in operations to which we will have been committed."

Foresees Powerful Influence.

"We have been told that we must accept and ratify this treaty as it is presented to us. We have learned the power of the influence organized to force the Senate to ratify this instrument. We may be very sure that the influence hereafter exerted to compel Congress to obey the mandates of the League of Nations will be far more powerful. There will be no possibility of Congress standing up against them."

"Has there been ever or anywhere a man who more often or emphatically

pledged himself to the cause of self-determination for peoples than President Wilson has done? Yet with those pledges set ringing in the ears of the world he entered the conference room at Versailles and when he and the others came out—it was unanimous.

"Under this covenant we transfer to one man, our representative on the council, the power to represent us in all the considerations and determinations that involve peace or war. From the day we are in this covenant we are in the midst of the complex affairs of Europe and the whole world. We are entangled in all its varied concerns. We are the ally of every nation that is a member of this league. We have surrendered for all time the policy of 'no entangling alliances.'"

"Where among these I ask is the reservation that protects us from entangling alliances? What one of these reservations protects that fundamental doctrine on which we have lived and by which we have grown great?"

Reservation is Ineffective.

"There is among these reservations one on the Monroe Doctrine. But it can not be effective. As a matter of plain fact do you not know that you cannot be entangled with the affairs of Europe while at the same time keeping Europe out of the affairs of the United States? New World? Jefferson laid it down as a cardinal principle, first that we never interfere in the affairs of Europe and second, that we never permit Europe to interfere in our American affairs. If we do the one we cannot prevent the other."

When he sat down Mr. Borah was surrounded by Senators who congratulated him, and amid this for "Vote in vote," Senator Owen (Okla.) arose to announce that he would vote against the Lodge ratification resolution because he considered that it would weaken the effectiveness of the treaty and the league at the point of the effort to end wars.

Then Senator McCumber (N. D.) made his last appeal to the Democrats, with whom he had long worked in the effort to save the treaty. He besought them to vote for the ratification with the Lodge reservations.

"Will you not," he said, "now stand by the ship when it is in the harbor? Will you desert at the first sign of serious trouble? The reservations here offered to you represent the mildest modification that could be secured in this necessary treaty to ratify the treaty."

"It is not true that the treaty is wrecked by these reservations that the heart is cut out of it. It is not harmed by the reservation that has been adopted. It resides in the declaration that the league guarantees the existing political independence and territorial integrity of the nations, and it is still there."

Masters but 30 Votes.

As Senator McCumber sat down the roll call on the Lodge resolution of ratification began at once. It resulted, "Ayes" 29, "Noes" 55, as follows:

For Ratification.

Republicans—Ball (Del.), Calder (N. Y.), Capper (Kan.), Colt (R. I.), Cummins (Ia.), Curtis (Kan.), Dillingham (Vt.), Edge (N. J.), Ekins (W. Va.), Fernald (Me.), France (Md.), Frelinghuysen (N. J.), Gorman (N. D.), Harding (Ohio), Jones (Wash.), Kellogg (Minn.), Kenyon (Ia.), Keyes (N. H.), Leavelle (Wis.), Lodge (Mass.), McCumber (N. D.), McLean (Conn.), McNary (Ind.), Nelson (Minn.), New (Ind.), Newberry (Mich.), Page (Vt.), Penrose (Pa.), Phelps (Col.), Smith (Ark.), Sutherland (W. Va.), Townsend (Mich.), Wadsworth (N. Y.), Warren (Wyo.), Watson (Ind.)—45.

Democrats—Gore (Okla.), Shields (Tenn.), Smith (Ga.), Walsh (Mass.)—29.

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Republicans—Borah (Idaho), Brandegee (Conn.), Fernald (Me.), France (Md.), Gorman (N. D.), Johnson (Cal.), Knox (Pa.), La Follette (Wis.), McCormick (Ill.), Moore (N. H.), Norris (Neb.), Poincaré (Wash.), Sherman (Ia.)—18.

Democrats—Aaburst (Ariz.), Bankhead (Ala.), Beckham (Ky.), Chamberlain (Ore.), Culbertson (Tex.), Dial (S. C.), Fletcher (Fla.), Gay (La.), Gerry (R. I.), Harris (Ga.), Harrison (Miss.), Henderson (Nev.), Hitchcock (Neb.), Johnson (S. D.), Jones (N. M.), Kendrick (Wyo.), King (Utah), Kirby (Ark.), Myers (Mont.), Nugent (Idaho), Overman (N. C.), Owen (Okla.), Phelan (Cal.), Pittman (Nev.), Pomerene (Ohio), Randall (La.), Reed (Mo.), Robinson (Ark.), Sheppard (Tex.), Simmons (N. C.), Smith (Ark.), Smith (Md.), Smith (S. C.), Stanley (Ky.), Swanson (Va.), Thomas (Col.), Trammell (Fla.), Underwood (Ala.), Walsh (Mont.), Williams (Miss.), Wolcott (Del.)—42.

Read Ayes Reconsideration.

Senator Reed was instantly on his feet to move reconsideration of the vote, in order to dispose of one of the reconsiderations.

President threatened so to intertwine treaty and league that they could not be separated. Mr. Brandegee continued to insist that the treaty was a world interest, he said, and others, and great pressure brought to compel them to support the treaty. Yet almost nobody knew what was in the treaty. Instead of a mere peace treaty it was "a world constitution," as the President had said.

Senator Hitchcock followed. Referring to an observation by Senator Brandegee, he commented on the humor of the suggestion that Senator Lodge was attempting to lead into the paths of international socialism by getting the treaty ratified and this country involved in it.

"How can Senators treat the demand of the world for peace as a matter of jest and gibe?" demanded Mr. Hitchcock. "This country was committed before the world to a League of Nations long before the war's end. The President declared for it in January, 1915, and was universally approved. But these reservations include several that cannot be accepted. Several would be highly obnoxious to our Allies."

Reservations Drawn by Friends.

Senator Kellogg (Minn.) made a vigorous speech in reply to Mr. Hitchcock. "How can we hope for any compromise now?" he asked. "For three months and more Senator Hitchcock has declared that the treaty must be ratified without any change. He would not listen then to compromise. It is not true that these reservations have been sprung unexpectedly on the Senate or that it had been told to take these or none. They have been drawn by friends, not enemies, of the treaty. But Senator Hitchcock has stood firmly to prevent any reasonable reservations at all."

"I am tired of this sort of talk. I will not vote for a treaty that does not protect our national interests. These reservations will do that. Only as recently as November 15 Senator Hitchcock offered a substitute for our reservation on Article X, which is in every essential, even in language, so similar to that by the committee that I defy any man to define the difference. Then he was willing to accept it, but in effect the same as the Lodge reservation. Now he is unwilling to do that, and finds that the Lodge reservation would take the heart out of the treaty."

"Generally the reservations known as the Lodge reservations do not differ in legal effect from those which Senator Hitchcock himself has offered dealing with the same matters. Why, then, will not Senator Hitchcock accept the Lodge ones? His attitude has been 'You will take it as it is or not at all.' I have been as eager as any Senator here for peace, but I insist on peace with honor and protection to my country. My first duty is to it."

Borah's Final Appeal.

Senator Borah (Idaho), who had nearly risen in his place for several days, here took the floor for his last appeal against the treaty.

"I do not doubt," said Mr. Borah, "that sooner or later—and all too soon, I believe—this treaty will be ratified, 'including the League of Nations and the reservations as now framed. Possibly there will be slight changes in the reservations to give justification for the claim of a common paragraph of them. They will be adopted, and therefore this is as good a time as any for me to state my view of it and my reasons for voting against it."

"Article XI of the covenant is unchanged by any resolution, and so long as that is true Article XI is superfluous. If under Article XI 'every war or threat of war' is of concern to the League and if in all such matters it has power to act then what significance is there in Article X? There is absolutely nothing under Article X that is not completely covered by Article XI."

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Penrose Says Democrats Get White House Orders

Special Dispatch to The Sun.

WASHINGTON, Nov. 19.—While Senator Pittman (Nev.), was making a time killing speech on the German peace treaty to-night, Senator Penrose interrupted him.

"What is the use," the Pennsylvania Senator demanded, "of taking time to prove that the Republicans voted in accordance with their convictions, and the Democrats in accordance with orders from the White House?"

"I deny that," shouted Senator Thomas (Col.), jumping to his feet.

"You are about the only one who can," Senator Penrose commented.

alton privileges available under the rule; by a vote of 62 to 30 the vote was reconsidered. Those voting against it were:

Republicans—Ball (Del.), Brandegee (Conn.), Calder (N. Y.), Cummins (Ia.), Ekins (W. Va.), Fernald (Me.), France (Md.), Frelinghuysen (N. J.), Gorman (N. D.), Harding (Ohio), Johnson (Cal.), Knox (Pa.), La Follette (Wis.), Lodge (Mass.), McCormick (Ill.), Moore (N. H.), Norris (Neb.), Newberry (Mich.), Norris (Neb.), Page (Vt.), Penrose (Pa.), Phelps (Col.), Poincaré (Wash.), Sherman (Ia.), Sutherland (W. Va.), Wadsworth (N. Y.), Warren (Wyo.), Watson (Ind.)—28.

Democrats—Thomas (Col.), Reed (Mo.)—2.

In the effort to gain time for conference and efforts at compromise with the reservation Republicans Senator Hitchcock now moved to adjourn. This time the Administration voted for adjournment, while the opposition, led by Senator Lodge, voted to keep the Senate in session. This was a hard blow to the Administration forces, for it suggested ominously that the organization back of Senator Lodge was determined to stand firm and force the issue.

New Reservations Offered.

Then came the most amazing parliamentary tangle anybody could remember. Senator Hitchcock offered a new set of reservations. Before they could be read Senator Lodge arose.

"The Chair," he said, "has ruled that the vote to reconsider carried the committee resolutions back to the Committee of the Whole. I insist that it does not; that instead it carries it only back to the stage in the Senate where it was before the first vote was taken on it. From that decision I appeal."

On the question, "Shall the ruling of the Chair stand as the decision of the Senate?" the roll was called and by Senator Overwood, 51 to 42. This was practically a party vote.

Again Senator Hitchcock attempted to offer a reservation. Senators Lodge and Underwood demanded to know what was the question before the Senate.

The Vice-President summarized his position, indicated two or three days ago. The Senate, he said, could determine all issues or order by its majority vote. In the Chair's opinion, since the reconsideration, other reservations may be offered, or amendments to those already

adopted. But it is for the majority of the Senate to decide.

"Can any amendment be offered to a proposition that is not before the Senate?" demanded Mr. Leavelle.

"I have ruled that other articles of reservation, resolutions of ratification or amendments, are in order," replied the Chair.

"It is in order also to move to reconsider, to indefinitely postpone or to send the treaty to the President," added the Vice-President.

Senator Poincaré (Nash.) raised the point of order that the Lodge resolution of ratification was before the Senate and that no amendment to it was in order. The Chair overruled this and Senator Lodge appealed. The Chair was defeated, 50 to 45.

Again before the Senate.

So Mr. Marshall announced that the Lodge ratification resolution was before the Senate. There were shouts for a vote but Senator McCumber was recognized to offer an amendment to the first reservation. He proposed to strike from that reservation the part which required that the American reservations be accepted by three of the four great Powers, Great Britain, France, Italy and Japan.

The Senator from North Dakota cannot make a motion to reconsider that vote," interposed Senator Penrose (Pa.), "because he did not vote for it."

This caused an outburst of laughter. The point was sound, and Senator McCumber was silenced.

Then, mainly to gain time, Senator Robinson (Ark.) consumed some of the precious time still remaining to him, declaring that the Senate was proceeding in violation of its rules and precedents.

"After overwhelmingly defeating the Lodge ratification resolution," he said, "the Senate is now proceeding, in disregard of all parliamentary precedents, to vote again on that same Lodge resolution. If the Senate's decision is good then we may go on indefinitely traveling around in this circle, voting on that resolution, reconsidering the voting and voting on it again. If we do not find a way to release ourselves from this situation we never will be able to agree on any possible disposition of the treaty. A motion to reconsider a resolution of ratification with reservations, being carried, brings the matter back into committee of the whole, subject to new reservations. No other rule is reasonable."

Death of the Treaty.

Mr. Robinson quoted precedents, and when he finished Senator Leavelle asserted that he was entirely wrong. The vote to reconsider brought the matter back exactly where it was before—in the Senate—not in committee of the whole. If now anything is to be considered, he said, every vote previously taken must be reconsidered one at a time.

At this point Senator Underwood took charge for the Administration forces. The operation of the closure rule was bearing hard on the leaders of both sides. Senators had, under that rule, an hour each on the floor. Several had already used it all. Senator Lodge was having lieutenants sent for him as often as possible, and Senator Hitchcock now retired for the time being in favor of Senator

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Underwood, who had saved up his time for just such an emergency.

He proceeded to a speech demanding that the Senate permit a square verdict for or against the treaty. The nation wanted peace. This war had been ended a year and nominal peace was not yet secured. It must come, and through the treaty. There must be a fair chance for all proposals to be considered looking to a possible agreement of the necessary two-thirds vote that would carry in some form. He insisted that the republican machine, under control of Senator Lodge, was not permitting this fair chance. But the chance was given and the resolution of simple ratification, which Senator Underwood was permitted to introduce met defeat by a majority of fifteen.

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